

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TOMMY PHILLIPS,  
Plaintiff,  
v.  
WELLS FARGO BANK, N.A.,  
Defendant.

Case No. 5:15-cv-02160-EJD

# **ORDER TO SHOW CAUSE RE SETTLEMENT**

Re: Dkt. No. 18

The parties, having filed a Notice of Settlement on **November 11, 2015** (See Docket Item No. Re: Dkt. No. 18), are ordered to appear before the Honorable Edward J. Davila on **February 4, 2016 at 9:00 AM** in Courtroom No. 4, 5th Floor, United States District Court, 280 South First Street, San Jose, California, 95113, to show cause why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). On or before **January 28, 2016**, the parties shall file a joint statement in response to the Order to Show Cause setting forth the status of settlement efforts as well as the amount of additional time necessary to finalize and file a dismissal.

The Order to Show Cause shall be automatically vacated and the parties relieved of the obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before **January 28, 2016**.

All other pretrial deadlines and hearing dates are VACATED and any pending motions are TERMINATED.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss the action.

## IT IS SO ORDERED

Dated: 11/16/2015

  
EDWARD J. DAVILA  
United States District Judge

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